Case4:07-md-01819-CW Document1442 Filed06/13/13 Page1 of 2

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COTCHETT, PITRE

& McCARTHY

<del>[PROPOSED]</del> ORDER GRANTING MOTION FOR AN ORDER AUTHORIZING DISTRIBUTION OF SETTLEMENT FUND; Case No. 4:07-md-01819-CW, MDL No. 1819

## Case4:07-md-01819-CW Document1442 Filed06/13/13 Page2 of 2

The Court previously granted final approval of the settlement agreements reached in these class action proceedings and found that due and adequate notice of the settlements was provided to the Class. (Dkt. Nos. 1021 and 1371).

Having considered the Motion for an Order Authorizing Distribution of Settlement Fund ("Motion"), the Declaration of Markham Sherwood in Support of the Motion for an Order Authorizing Distribution of Settlement Fund, the Declaration of Steven N. Williams in Support of the Motion for an Order Authorizing Distribution of Settlement Fund, and all other supporting papers and arguments presented at the hearing, it is hereby ORDERED that:

- 1. Plaintiffs' Motion is GRANTED.
- 2. The Court has already ordered that a pro rata distribution of the Net Settlement Fund (determined by multiplying each valid claimant's percentage of the total valid claims times the Net Settlement Fund) is fair, adequate and reasonable (Dkt. Nos. 1021 and 1371).
- 3. The Court further finds that the claims review process, as set forth in the Sherwood Declaration, was fair, adequate and reasonable, providing a full and fair opportunity for potential members of the class to submit a valid claim.
- 4. The Claims Administrator's recommendations regarding the ineligibility (Exhibit D of the Sherwood Declaration) and eligibility (Exhibit E of the Sherwood Declaration) of the claims are hereby adopted and approved.
- 5. Sufficient funds shall be reserved in the Net Settlement Fund for the payment of claims administration costs and taxes.
- 6. The Court authorizes distribution of the Net Settlement Fund (less the funds reserved for claims administration costs and taxes) as set forth in the Motion.

IT IS SO ORDERED.

Dated: 6/13/2013

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UNITED STATES DISTRICT COURT JUDGE

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